THE PUNJAB GRAM PANCHAYAT, SAMITIS AND ZILA PARISHAD (CHANDIGARH-REPEAL) BILL, 1994

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P. M. SAYEED): Madam, I beg to move :

"That the Bill to repeal the Punjab Gram Panchayat Act, 1952 and Punjab Panchayat Samitis and Zila Parishad Act, 1961 as in force in the Union Territory of Chandigarh be taken into consideration."

Madam, the Bill seeks to repeal the Punjab Gram Panchayat Act, 1952 and the Punjab Panchayat Samitis and Zila Parishads Act, 1961.

At present there is a three-tier panchayati Raj System in the Union Territory of Chandigarh :

(i) Gram Panchayat at the village level;

(ii) Panchayat Samiti and the tehsil level; and

(iii) Zila Parishad at the district level.

There are 22 villages in Chandigarh which are governed by 21 Panchayats under the Punjab Gram Panchayat Act, 1952. The Panchayat Samiti, Chandigarh has been constituted at the tehsil level under the Punjab Panchayat Samitis and Zila Parishads Act, 1961. The Zila Parishad, Chandigarh has also been constituted under the aforesaid Act.

To harmonize the provisions of the local laws with the Constitution (Seventy-third Amendment) Act, 1992, the State Legislature of Punjab has passed the Punjab Panchayati Raj Bill, 1994, replacing the earlier statutes, *viz* the Punjab Gram Panchayat Act, 1952 and the Punjab Panchayat Samitis and Zila Parishads Act, 1961. It has been decided to extend the above Act, when enforced, to the Union Territory of Chandigarh. However, this can be done only after the Punjab Gram Panchayat Act, 1952 and the Punjab Panchayat Samitis and Zila Parishads Act, 1961, which are already in force in Chandigarh, are repealed. This is necessary because unless the laws already in force are repealed and a *tabula rasa* created, it will not be possible to extend the new law *viz* the Punjab Panchayati Raj Act, 1994 to the Union Territory of Chandigarh under Section 87 of the Punjab Reorganisation Act, 1966. It is not possible to repeal an existing law by extension of another law. A law by the Parliament will be necessary to repeal the existing laws in the Union Territory of Chandigarh.

I commend the Bill to this august House for approval.

The question was put and the motion was adopted

THE DEPUTY CHAIRMAN : We shall now take up clause-by-clause consideration of the Bill.

Clauses 2 and 3 were added to the Bill
Clause 1, the Enacting Formula and the Title were added to the Bill

SHRI P. M. SAYEED : Madam, I move :

That the Bill be passed.

The question was put and the motion was adopted

SHRI G. G. SWELL : Madam, please allow me to speak ... (*Interruptions*) ...

The Deputy Chairman : There is some serious matter which Mr. Swell wants to raise. Let him speak.

REFERENCES

Imposition of Embargo by RBI upon Nagaland

SHRI G. G. SWELL (Meghalaya) : It has been reported that the Reserve Bank of India has imposed an embargo—not to make any payment to the Government of Nagaland. This is unprecedented. A critical situation has been created in that sensitive and vulnerable, insurgency-bound part of our country. No money is to be released to the Government of Nagaland.

The Finance Minister may have his own reasons for doing this. I do not know what the reasons are. But we would like the Finance Minister to come to this House with a statement and tell us why this has been done ... (*Interruptions*) ... I would like you, Madam, this being a very serious situation, to kindly direct the Finance Minister to come before the House and make a statement as to the reasons for taking this unusual action ... (*Interruptions*) ...

The Vice-Chairman (Shrimati Jayanthi Natarajan) *in the chair*

SHRI P. UPENDRA (Andhra Pradesh) : Madam, ...(*Interruptions*) I would like to associate myself ... (*Interruptions*) ...

SHRI VIZOL (Nagaland) : Madam... (*Interruptions*) ...

THE VICE-CHAIRMAN (SHRIMATI JAYANTHI NATARAJAN) : Mr. Vizol, let Mr. Upendra finish.

SHRI P. UPENDRA : Madam, I support the contention made by Mr. Swell. All the North-East states are generally in